IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 6TH AUGUST 2007 / 15TH SRAVANA 1929

WP(C).No. 23575 of 2007(F)

PETITIONER:

J.RAMACHANDRA NAICK, VALLAYIL, PONNADU,
MANNANCHERRY,ALAPPUZHA.

BY ADV. SRI.K.V.SADANANDA PRABHU

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE
SECRETARY TO GOVERNMENT (CO-OPERATIVE DEPARTMENT),
THIRUVANANTHAPURAM.

2. JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES (G) ALAPPUZHA.

3. SECRETARY, THE MANNANCHERRY
PERUMTHURUTHU HOUSING CO-OPERATIVE SOCIETY
LTD.NO. A 686, MANNANCHERRY.

BY BY GOVT. PLEADER SMT. ANU SIVARAMAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No. 23575 of 2007

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Dated this the 6th day of August, 2007

JUDGMENT

Case of the petitioner is as follows:

Stating that the petitioner did not avail loan for the construction of a house within three years of becoming a member of the third respondent Society, the second respondent cancelled the membership of the petitioner vide Ext.P3. Petitioner preferred appeal and Ext.P1 application for stay. Prayer in the writ petition is to grant stay of further proceedings in relation to Exts.P1 and P3 and to direct the first respondent to pass orders on Ext.P1.

2. I heard learned Government Pleader also. She submits on instructions that the appeal has been filed and it is filed within time. She however submits that no application for stay is received.

3. In the nature of the order that I propose to pass, it is not necessary to issue notice to the third respondent.

The writ petition is disposed of directing the first respondent to consider and dispose of the appeal filed by the petitioner as evidenced

by Ext.P2 after hearing the petitioner and the third respondent within a period of six weeks from the date of receipt of a copy of this judgment. In the meantime if the petitioner moves an application for stay, the first respondent will consider the same and take a decision thereon within a period of one week from the date of receipt of such application.

(K.M. JOSEPH, JUDGE)

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